

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: TESTOSTERONE REPLACEMENT
THERAPY PRODUCTS LIABILITY
LITIGATION**

**Case No. 1:14-cv-1748
MDL No. 2545**

Hon. Matthew F. Kennelly

THIS DOCUMENT RELATES TO:

Cases Vacated and Remanded by Seventh Circuit
listed herein

**CASE MANAGEMENT ORDER NO. 100 –
ORDER OF DISMISSAL WITH RESPECT TO PFIZER DEFENDANTS
AND ANY OTHER NON-DIVERSE DEFENDANTS FOR
CASES REMANDED BY U.S. COURT OF APPEALS FOR THE SEVENTH CIRCUIT**

On January 19, 2018, the U.S. Court of Appeals for the Seventh Circuit affirmed this Court's rulings regarding the preemption defense asserted by Pfizer Inc. and/or Pharmacia & Upjohn Company LLC (collectively "Pfizer" or "the Pfizer Defendants") with respect to certain cases. In certain other cases, the Seventh Circuit vacated final judgments or partial final judgments entered by this Court due to a lack of subject matter jurisdiction and remanded the cases to this Court for further proceedings to address the jurisdictional issues. The Seventh Circuit also awarded costs to Pfizer.

Counsel for the Pfizer Defendants and Plaintiffs' counsel have met and conferred regarding these jurisdictional issues and have agreed to dismiss with prejudice the Pfizer Defendants and to dismiss without prejudice any non-diverse defendants from each case remanded by the Seventh Circuit in exchange for Pfizer's waiver of the costs awarded by the Seventh Circuit.

Cases Naming Only Pfizer Defendants and/or Non-Diverse Defendants

The cases listed below name as defendants only the Pfizer Defendants and/or non-diverse defendants. Based on the parties' stipulation, IT IS HEREBY ORDERED that the cases listed below are dismissed in their entirety. With respect to the Pfizer Defendants, the dismissals are with prejudice; with respect to the non-diverse Defendants, where applicable, the dismissals are without prejudice.

Plaintiff - Case Number	Plaintiff Citizenship	Non-Diverse Defendants to be Dismissed (Other than Pfizer Defendants)	Master Docket No. Ordering Dismissal	Plaintiffs' Counsel
<u>Final Judgment Cases</u>				
Evans, Sr. Glenn E., 16-cv-3668	CA	McKesson Corporation	1824	Lanier
Puryear, David, 16-cv-3650	CA	McKesson Corporation	1824	Lanier
Barrett, Thomas, 16-cv-7627	MI	[Pfizer Defendants only]	1824	Branch Law Firm
Bowen, III, Clinton, 16-cv-8749	MI	[Pfizer Defendants only]	1824	The Goss Law Firm
Dougherty, Michael, 15-cv-2824	MI	[Pfizer Defendants only]	1824	Peiffer Rosca Wolf Abdullah Carr & Kane
Dunn, Lawrence, 16-cv-1363	MI	[Pfizer Defendants only]	1824	Heard Robbins Cloud LLP
Gomez, Luiz C., 16-cv-10157	MI	[Pfizer Defendants only]	1824	Lopez McHugh
Hampton, Duane, 15-cv-9564	MI	[Pfizer Defendants only]	1824	Zoll Kranz & Borgess
Knight, Andre L., 16-cv-6039	MI	[Pfizer Defendants only]	1824	Simmons Hanly
Lewis, Russell, 15-cv-8889	MI	[Pfizer Defendants only]	1824	Levin Simes
Lockner, Steven, 16-cv-8912	MI	[Pfizer Defendants only]	1824	Seeger Weiss
Mangas, Brian, 16-cv-7617	MI	[Pfizer Defendants only]	1824	Branch Law Firm
McClerkin, Duncan, 15-cv-4757	MI	[Pfizer Defendants only]	1824	Bohrer Law Firm
Morgan, Michael, 15-cv-6038	MI	[Pfizer Defendants only]	1824	Levin Simes
Naragon, Robert C., 15-cv-6546	MI	[Pfizer Defendants only]	1824	Simmons Hanly
Orzel, John F., 15-cv-11598	MI	[Pfizer Defendants only]	1824	Anapol Weiss
Patrick, Tony N., 16-cv-4578	MI	[Pfizer Defendants only]	1824	Beasley Allen Crow
Sawyers, Dennis, 15-cv-7590	MI	[Pfizer Defendants only]	1824	Steuve Siegel Hanson LLP

Plaintiff - Case Number	Plaintiff Citizenship	Non-Diverse Defendants to be Dismissed (Other than Pfizer Defendants)	Master Docket No. Ordering Dismissal	Plaintiffs' Counsel
Stapples, Herman, 15-cv-11418	MI	[Pfizer Defendants only]	1824	Heard Robbins Cloud LLP
Craig, Michael A., 17-cv-1451	MI	[Pfizer Defendants only]	1969	Wagstaff & Cartmell
Fleeger, David, 17-cv-465	MI	[Pfizer Defendants only]	1969	Carey Danis & Lowe
Griffith, Gary, 17-cv-558	MI	[Pfizer Defendants only]	1969	Lopez McHugh
Hitz, Frank F., 17-cv-685	MI	[Pfizer Defendants only]	1969	Herman, Herman & Katz

Cases Naming Pfizer Defendants and/or Non-Diverse Defendants and Other Defendants

The cases listed below name as defendants other non-diverse parties in addition to the Pfizer Defendants and/or non-diverse defendants. Based on the parties' stipulation, IT IS HEREBY ORDERED that the cases listed below are dismissed in part: (1) with respect to the Pfizer Defendants, the dismissals are with prejudice; and (2) with respect to the non-diverse Defendants, where applicable, the dismissals are without prejudice. Plaintiffs' claims pending against any defendant not listed below shall not be affected by this Order.

Plaintiff - Case Number	Plaintiff Citizenship	Non-Diverse Defendants to be Dismissed (Other than Pfizer Defendants)	Master Docket No. Ordering Dismissal	Plaintiffs' Counsel
Rule 54(b) Cases				
Canion, Thomas, 15-cv-6448	GA	AbbVie Products LLC	1865	Beasley Allen Crow
Henderson, Ronald E., 16-cv-1527	GA	AbbVie Products LLC	1865	Simmons Hanly
Johnson, Ralph Derrell, 16-cv-1277	GA	AbbVie Products LLC	1865	Seeger Weiss
Linkous, Brian K., 16-cv-7186	GA	AbbVie Products LLC	1865	Matthews Law Firm
Tallevast, John, 16-cv-1772	GA	AbbVie Products LLC	1865	MacDonald Law Group
Thompson, Roger, 16-cv-1716	GA	AbbVie Products LLC	1865	Alystock Witkin, Kreis & Overholtz
Crawford, Edward Lee, 16-cv-1397	FL	Anda Inc.	1865	Matthews Law Firm

Plaintiff - Case Number	Plaintiff Citizenship	Non-Diverse Defendants to be Dismissed (Other than Pfizer Defendants)	Master Docket No. Ordering Dismissal	Plaintiffs' Counsel
Gagnier, Peter T., 16-cv-1349	FL	Anda Inc.	1865	Matthews Law Firm
Jackson, Roosevelt, 16-cv-1158	FL	Anda Inc.	1865	Matthews Law Firm
King, John, 16-cv-3194	VA	Besins Healthcare	1865	Law Office of Baird Brown
Baggett, Dennie, 16-cv-7404	MI	[Pfizer Defendants only]	1865	Branch Law Firm / Meyers & Flowers
Coursen, Michael, 16-cv-2676	MI	[Pfizer Defendants only]	1865	Onder Shelton O'Leary
Harte, Patrick, 16-cv-3946	MI	[Pfizer Defendants only]	1865	Onder Shelton O'Leary
Howse, Jr., John, 16-cv-1521	MI	[Pfizer Defendants only]	1865	Goldenberg Law
Sutphin, Anthony, 16-cv-4485	MI	[Pfizer Defendants only]	1865	Lopez McHugh
Barton, Terry, 17-cv-2262	FL	Anda Inc.	1970	Levensten Law Firm
Coffey, Robert J., 17-cv-626	FL	Anda Inc.	1970	Matthews Law Firm

Each side shall bear its own costs, and Pfizer has waived its costs on appeal.

IT IS SO ORDERED.

March 2, 2018


MATTHEW F. KENNELLY
UNITED STATES DISTRICT JUDGE